

Exhibit 202

PLAINTIFFS' OMNIBUS OPPOSITION TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

Case No.: 4:22-md-03047-YGR

MDL No. 3047

In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation

U.S. Senate Committee on the Judiciary
Subcommittee on Crime and Counterterrorism
“A Time for Truth: Oversight of Meta’s Foreign Relations and Representations to the United States Congress”
Questions for the Record for Sarah Wynn-Williams
Submitted April 16, 2025

QUESTIONS FROM SENATOR CORY A. BOOKER

The issues that you highlight in your book are deeply troubling. They echo a lot of the concerns that many members of our committee—along with parents, journalists, watchdog groups, whistleblowers, and others—have been raising for years. Social media can be great. It has the potential to bring people together to connect, create, share, laugh, learn, and inform. There’s a dark side, though—the core business model of large social media companies is to harvest and exploit our personal data for profit. Over the past decade, we’ve witnessed social media companies drive wedges between Americans, undermine our sense of privacy in profound ways, pursue acquisitions to further cement their market dominance, and exacerbate a youth mental health crisis. I’ve said before, if I had a child and they were 14 or 15 years old, I would do everything I could to keep them off certain social media platforms. I suspect that future generations will look at kids today scrolling through social media the way we look at our parents’ generation smoking cigarettes at a young age. I worry about social media as a contributor to screen addiction, deteriorating mental health, threats to the well-being of American children, loss of privacy, the spread of hate speech, bullying and harassment, proliferation of misinformation, and more. Given that long and growing list of associated harms, I’m interested in better understanding how these issues were considered internally at Facebook over the last 15 years.

1. When you were at Meta, how seriously did executives grapple with these issues—was there an effort to take meaningful action and minimize the harms, or were there attempts to deflect or otherwise sweep them under the rug? Did the company make intentional product design decisions that intensified these harms? If so, what were they?

During my time at Facebook, now Meta, Executive Officers, including the CEO and COO, frequently minimized, dismissed, or even outright denied the many harms that resulted from their platforms. As far as I could tell, they did this to justify their continued focus on growth—even when it seemed obvious to me and my peers on the Policy and Communications team that the company’s growth strategies would worsen the harm caused by Meta’s products. Toward the end of my time at the company, when the widespread harmful consequences of Meta’s platforms became undeniable, Executive Officers maintained their focus on growth. They knew the negative externalities of their products were being pushed onto teens, parents, and community members.

It is not the case that perennial problems on the platform including child safety, mental health, or the radicalization to violence were unavoidable or that the company was powerless to address them. The company made choices with respect to product safety and feature changes responsive to profit maximization. Consider, for example, Facebook’s attentive cultivation of the Chinese government when it wanted Beijing to grant access to the market. For years, no demand was too large, no timetable too short, and no form of negotiation or engagement out of bounds. Simultaneously—during the exact same period of time—the company made only cursory efforts to address a worsening crisis of child mental health precipitated by its products around the world. More acutely, the company neglected evidence that Facebook was used to organize violence and took no action that might have mitigated crises like the genocide in Myanmar. This double standard shocked the consciences of users and employees alike, triggering frequent calls for change within the company that were ignored by executives.

Meta’s top executives pushed and continue to push the responsibility of dealing with these negative externalities and harms onto more junior employees who lack the authority to implement the harm mitigation measures that are needed, and even attempt to shift blame onto the public, including teens, parents, teachers, and other community members who were harmed by Facebook’s products. Meta’s leaders refer to these real-world harms as ‘brand’, ‘communications’ or ‘stakeholder issues’ rather than directly grappling with the harm or investing Executive time or significant resources into addressing these harms. Despite this, Mark Zuckerberg recently said he was ‘done apologizing’ and that when reflecting on the biggest mistakes of his career said his largest one was a “political miscalculation” that he described as a “20-year mistake.” Specifically, he said, he’d taken too much ownership for problems allegedly out of Facebook’s control.¹

2. There’s a section in the book where you write:

In April 2017, a confidential document is leaked that reveals Facebook is offering advertisers the opportunity to target thirteen-to-seventeen-year-olds across its platforms, including Instagram, during moments of psychological vulnerability when they feel “worthless,” “insecure,” “stressed,” “defeated,” “anxious,” “stupid,” “useless,” and “like a failure.” Or to target them when they’re worried about their bodies and thinking of losing weight. Basically, when a teen is in a fragile emotional state.

Can you describe how “emotional targeting” works and how widespread it was while you were at Facebook? How did Facebook identify teens who were in a fragile emotional state? Did the executives ever display concern for the wellbeing of teens or apprehension about exploiting them for profit?

¹ See, Maxwell Zeff, “Mark Zuckerberg says he’s done apologizing,” 11 September 2024, <https://techcrunch.com/2024/09/11/mark-zuckerberg-says-hes-done-apologizing/>

Meta has become one of the wealthiest and most powerful corporations on the planet by extracting data about the individuals who use its platforms and selling that data to advertisers. Advertising routinely accounts for about 99 percent of Meta's total revenue. Meta markets its advertising services as being capable of delivering an ad to ever-narrower subsets of users that are marked by such parameters as their hobbies, political leanings, age, location, inferred demographic data, and past online activity on—and off—Meta's platforms.

Emotional targeting describes the way Meta collects, processes, and analyzes the vast amount of data it has on any given individual, including any posts they have written or deleted, photos they have uploaded or engaged with, comments, interactions, private conversations with friends, visual communications, status updates, and other related activity across the internet to understand a person's emotional state. Meta then supplements this personal data with even more data from data brokers that provide information about users' online and offline lives—such data as financial transaction data, health data, or past browsing activity. Meta packages all this sensitive personal data together and sells access to it so that advertisers can target specific individuals or groups of individuals and tailor their messages to resonate with people experiencing emotional vulnerabilities or desires that an advertiser finds useful for pitching products. The company offers advertisers extensive research to explain how to profile a user's particular attributes, identities and temporary states of mind in order to serve them an ad at the optimal moment (regardless of the ethics of doing so). For example, in a piece of marketing research from 2016, the company provided a how-to for advertising clients on how to “tap into emotions.”²

Emotional targeting as described above was widespread throughout my years at Meta. A patent first filed by Meta over a decade ago describes how personality traits including emotional stability can be determined by Meta.³ Meta systematically used the data and advertising tools at its disposal to identify when teens were in a fragile emotional state and then sold access to those teens to advertisers for profit.

During my time at Meta, I spent countless hours interacting with Executive Officers, including the CEO and COO and Chief Global Affairs Officer, and I cannot recall instances in which they displayed concern for the wellbeing of teens or apprehension about exploiting them for profit. They did, however, express concerns about the public learning of Meta's business practices such as emotional targeting of teens and concern about possible investigations into Meta and its advertising services as a result. Tellingly, in their private lives, it was common for Meta

² See, Erin Doyle, “How Brands Can Tap Into Aussie & Kiwis Emotions: Facebook Research,” 3 November 2016, <https://www.bandt.com.au/facebook-and-tns-research/#:~:text=Take%20a%20stand-,ASSERTIVE,on%20top%20of%20your%20game>

³ See, Patent Application, “Determining User Personality Characteristics from Social Networking System Communications and Characteristics,” 3 June 2016, <https://patents.justia.com/patent/20160283485>

employees in my time at the company to forbid their own children from using the company's products out of concern for their safety and well-being.

3. Given the context you shared regarding Facebook's role in displaying targeted advertisements to vulnerable teens, do you think Meta's new approach to content moderation, announced in January 2025,⁴ is effective in preventing the continued exploitation of young people on their apps?

Meta's new approach on content moderation announced in January 2025 is not effective in preventing the continued exploitation of young people on their apps. My experience at the company and the approach to product safety that I witnessed makes me deeply skeptical that any self-regulatory approach from Meta is capable of adequately protect young people on their apps. Consider the recent reporting from the Wall Street Journal regarding Meta's AI chat-tools integrated in its products.⁵ These services were shown to engage in explicit sexual dialogue with underage users.

4. Lina Khan, former Chair of the Federal Trade Commission, the independent agency protecting Americans from fraudsters and monopolists that has sued Big Tech companies on multiple occasions, recently wrote an op-ed entitled, "Stop Worshipping American Tech Giants."⁶ In it, Khan wrote, "Over the last decade, big tech chief executives have seemed more adept at reinventing themselves to suit the politics of the moment — resistance sympathizers, social justice warriors, MAGA enthusiasts — than on pioneering new pathbreaking innovations and breakthrough technologies." In your testimony, you said that America is now engaged in a high-stakes AI arms race against China, which we may lose if Khan is correct. Do you think that America's global leadership will suffer if Big Tech companies prioritize profits at the expense of advancement and real innovation?

America's global leadership has already suffered, and will continue to suffer, for as long as Big Tech is allowed to prioritize profits and market dominance at the expense of advancement and real innovation. But importantly, it is not just, as Lina Kahn set out, that when there isn't enough competition, our tech industry grows vulnerable to its Chinese tech rivals, threatening U.S. geopolitical power in the 21st century. While that is certainly true, Meta has subverted America's global leadership on technology and kneecapped the US in its AI arms race against China in

⁴ See, Joel Kaplan, "More Speech and Fewer Mistakes," 7 January 2025, <https://about.fb.com/news/2025/01/meta-more-speech-fewer-mistakes/>

⁵ See, Jeff Horowitz, "Meta's 'Digital Companions' Will Talk Sex With Users – Even Children," 26 April 2025, <https://www.wsj.com/tech/ai/meta-ai-chatbots-sex-a25311bf>

⁶ Lina M. Khan, "Stop Worshipping the American Tech Giants," 4 February 2025, <https://www.nytimes.com/2025/02/04/opinion/deepseek-ai-big-tech.html>.

much more direct and sinister ways. As part of their decade long effort to expand their China business they would pitch their expertise in helping China become more globally competitive, propelling Chinese domestic companies and vendors ahead. The company spent years building a direct relationship with the Chinese Communist Party and provided technological expertise on critical issues such as data center networking equipment, general purpose and GPU servers, storage devices and appliances, and scalable rack designs. Meta provided detailed briefing, demos, and testing by the CCP on cutting edge technology like facial recognition, photo tagging, and artificial intelligence. Meta recruited and hired many of the brightest minds of a generation and then instructed those skilled employees to provide the CCP with the tools and expertise they would need to advance their own Chinese homegrown technology and outcompete American companies.

This context should shape the lens through which policymakers view China's rapid advancements in AI capabilities, including Deepseek's AI model or China's Qwen 3 that surpasses OpenAI,⁷ both of which are built on Meta's Llama AI model,⁸ but use approximately one tenth of the computing power that's needed to run Meta's Llama AI model.⁹ These Chinese AI models, which would not be possible without Meta's Llama model, threaten America's leadership on AI.

As Kahn states, Deepseek's innovations are real and undermine a core argument that America's dominant technology firms have relied on to pushback on regulatory efforts that target their behavior—namely, that they are developing the best artificial intelligence technology the world has to offer in service of helping the United States succeed in its AI arms race against China. In seeding this argument, Big Tech companies like Meta would have US policymakers believe that their interests and the interests of the United States are one and the same. Yet, Meta's decade-long endeavor to share expert knowledge with the Chinese Communist Party about key innovations such as facial recognition, photo tagging, efficient data center infrastructure and artificial intelligence expose that argument for the disingenuous and dangerous lie that it is.

5. As large companies expand their market dominance, the incentives to innovate often weaken. This pattern isn't unique to social media companies. Once a company controls a market—regardless of the industry they're in—the pressure to develop genuinely new and better products can fade. Rather than building and shipping fresh ideas, they may acquire

⁷ See, Carl Franzen, "Alibaba launches open source Qwen3 model that surpasses OpenAI o1 and DeepSeek R1," <https://venturebeat.com/ai/alibaba-launches-open-source-qwen3-model-that-surpasses-openai-o1-and-deepseek-r1/>

⁸ See, Raj Pathak et al, "Deploy DeepSeek-R1 distilled Llama models with Amazon Bedrock Custom Model Import," 29 January 2025, <https://aws.amazon.com/blogs/machine-learning/deploy-deepseek-r1-distilled-llama-models-with-amazon-bedrock-custom-model-import/>

⁹ See, Zeyi Yang, "How Chinese AI Startup DeepSeek Made a Model that Rivals OpenAI," 25 January 2025, <https://www.wired.com/story/deepseek-china-model-ai/>

emerging competitors—or, if acquisition isn’t possible, simply copy key features and integrate them into their own platforms. Can you describe the extent to which Facebook and Meta’s size, power, and reach may have led them to make unwise—and potentially dangerous—policy? Did the company’s approach to policy evolve as it grew? In your view, are they still innovating at the cutting edge, as would be expected from a global company of Meta’s stature?

When I first joined Meta in 2011 it was a thriving, innovative company. Over time, as it grew, it shifted from an innovation and development mindset, to an acquisition mindset, to a mindset of shaping regulation to create a ‘moat’ that would insulate its dominant position from potential competitors that could not afford to meet the burdens of regulatory and compliance costs globally. This meant that Meta would deploy its considerable resources—more than \$24 million on lobbying in the US in 2024 alone, more than any other technology company—to ensure that regulation was tailored to meet its needs and impeded the growth of its competitors.

Similarly, when I first joined Meta there was a sense of cutting edge innovation and momentum in terms of product, but as time went on the company notched up significant product failures: the Facebook phone, Internet.org, Building 8, Facebook Portal, Workplace, it’s crypto product-Diem/Libra, Moments, Flash, Meta Spark, Rooms, Facebook News, Parse, Open graph, Aquila, Facebook gifts, Places, Riff, Bonfire, Slingshot, Facebook Questions, Satellites, Credits, Creative Labs, Cambria, Horizon Home, Horizon World and the Metaverse. As these failures stacked up, Meta pivoted to investing in acquisitions and acqui-hires completing nearly one hundred of these, although it was known to deprecate or shut many of these down, including Crowdtangle, MSQRD, tbh, and Ascenta. As Ben Thompson recently noted in his interview with Mark Zuckerberg, the vast majority of innovations announced at Meta’s premier product launch conferences over the last decade are either ‘dead or massively constrained.’¹⁰

Over time, many of the employees I worked with began to express frustration at the lack of innovation and the failure to build successful products at the company. This often resulted in talented people leaving the company or claiming they were ‘resting and vesting’ focusing on things outside their employment. Meta still generates over 99 percent of its \$162 billion revenue from advertising and has not meaningfully diversified its revenue streams over the two decades of its existence.

¹⁰ See, Ben Thompson, “An Interview with Meta CEO Mark Zuckerberg About AI and the Evolution of Social Media,” 1 May 2025, <https://stratechery.com/2025/an-interview-with-meta-ceo-mark-zuckerberg-about-ai-and-the-evolution-of-social-media/>